

16
1808

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FREDERICK W. FORD
1908-1988
TELECOPIER (202) 296-5572

May 25, 1993

Mr. Peter Price
Liberty Cable Co., Inc.
30 Rockefeller Plaza
Suite 3026
New York, NY 10020

Re: Grant of STAs
Preemption of Local Zoning
Spectrum Auctioning

Dear Mr. Price:

As I am sure you are aware, the Commission promptly granted all of the STA requests we filed on Liberty's behalf. I have been in communication with Behrooz regarding this, and copied you on a letter I sent to him with more details on the Special Temporary Authority granted. I will henceforth work under the assumption that you want me to file STA requests for each modification application we file. I will request authority for Liberty to activate new or modified paths as soon as the thirty day public notice period on a modification application is closed. If there is some alternative course of action you need me to follow, please notify me at your earliest possible convenience.

REDACTED

REDACTED

REDACTED

Federal Communications Commission	
WT 96-41 Exhibit No. TW 62	
Time Warner	
Identification	Identified <input checked="" type="checkbox"/>
	Received <input checked="" type="checkbox"/>
	Rejected <input type="checkbox"/>
Reporter	918
Date	5-28-97

TW EXHIBIT 11

17

Mr. Peter Price
May 25, 1993
Page 2

REDACTED

REDACTED

As always, call if you have any questions or if I can be of assistance to you in any way.

Yours truly,



Jennifer L. Richter, Esq.

Enclosure

JLR/kaw
d:\wp\1808\priceltr.jlr

EC00048116

Before the
Federal Communications Commission
Washington, D.C. 20554

PUBLIC NOTICE

Report No. DS-1311

Released: May 18, 1993

**COMMENTS SOUGHT ON PREEMPTION OF
LOCAL ZONING REGULATION OF
SATELLITE ANTENNAS**

Hughes Network Systems (Hughes) has filed a petition requesting a declaratory ruling revising the Commission's policies with respect to preemption of local zoning regulation of satellite earth stations as codified at 47 CFR § 25.104. For purposes of reference only, this petition has been assigned File Number 45-DSS-MISC-93. Specifically, Hughes requests the Commission to declare that any restriction on installation of a satellite antenna two meters in diameter or smaller in a commercial or industrial zone is preempted as *per se* discriminatory and unreasonable, and that the requirement in the existing policy that a party exhaust its legal remedies as a condition to seeking Commission relief be revised and replaced by procedures to initiate Commission review of zoning controversies in the first instance. Hughes asserts that it is experiencing significant problems with local zoning regulation of VSAT systems in commercial areas. We seek comments on Hughes' petition.

In addition, we seek to update the record compiled in response to the petition for declaratory relief filed by the Satellite Broadcasting and Communications Association of America (SBCA), DA 91-577, Public Notice, 6 FCC Rcd 2600 (1991). SBCA's petition requests the Commission to make specific findings concerning abusive zoning practices, requests a more definitive interpretation of Section 25.104 and requests the Commission to establish an administrative enforcement scheme to address zoning complaints.

Finally, we seek comments on what action we should take as a result of the decision by the United States Court of Appeals for the Second Circuit reversing the Commission's Order preempting the zoning ordinance of the Town of Deerfield, New York. The court held that the Commission did not have the authority to refuse to intervene in zoning disputes until other legal remedies had been exhausted and then review, alter or prevent enforcement of court judgments.

Comments or petitions filed in response to any or all of these matters should be filed on or before July 12, 1993 and replies should be filed on or before August 16, 1993. Copies of these documents can be obtained in the Public Reference Room, Domestic Facilities Division, Room 6220, 2025 M Street, N.W., Washington, D.C. or by contacting International Transcription Service, 202-857-3800. For further information, contact Rosalee Chiara, (202) 634-1781.

PEPPER & CORAZZINI
1776 K Street, N.W., #200
Washington, D.C. 20006
(202) 296-0600
Federal I.D. 53-0236694

COPY

June 10, 1993

Billed through 05/31/93

Bill number 1808-00000-048 RFC

Liberty Cable & Telephone, Inc.
Attn: Mr. Peter Price, Esquire
30 Rockefeller Plaza
Suite 3026
New York, NY 10020

Balance forward as of bill number 047 dated 05/10/93

REDACTED

RE: Liberty Cable, Inc.
New York, NY

FOR PROFESSIONAL SERVICES RENDERED

5/06/93 JLR	Prepare and file ten certificates of construction. Phone call: Behrooz re: service commencement dates. Phone call: Mike Roth re: functional system diagrams.	1.67 hrs
5/07/93 JLR	Phone call: Mike Roth (Comsearch) re: functional system diagrams. Phone call: Behrooz re: new modifications. Revise certificates of construction.	1.00 hrs
5/10/93 JLR	Review, revise and prepare for filing five modification applications.	3.00 hrs
5/11/93 JLR	Phone call: Behrooz re: STAs and applications to be filed.	.25 hrs
5/12/93 JLR	Prepared modifications for filing.	.83 hrs
5/19/93 JLR	Phone call: Behrooz re: grant of STAs.	.25 hrs
5/20/93 JLR	Prepare two modification applications. Phone call: FCC re: procedure.	3.00 hrs
5/24/93 JLR	Review STAs against inventory, update inventories.	2.00 hrs
5/25/93 JLR	Prepare letters to Behrooz re: grant of STAs; Mike Roth re: updated diagrams; Peter Price re: STAs, preemption of local zoning and spectrum auctions.	2.25 hrs

TW EXHIBIT 12

Federal Communications Commission

WT 9646 Emission No. TW 63

Gene Warner

Station	{	Ident	X
		Received	X
		Rejected	-

Q18

Reporter

Date 5-28-97

1*

PAGE 2

Bill number 1808-00000-048 RFC

DE /93 JLR Review of STA grants.

.25 hrs

Total fees for this matter

ADMINISTRATIVE COSTS

Database Research
Courier
Long Distance Telephone
Overtime expense
Printing and Duplicating
Postage

REDACTED

Total costs for this matter

BILLING SUMMARY

TOTAL FEES 14.50 hrs

TOTAL ADMINISTRATIVE COSTS

TOTAL CHARGES FOR THIS BILL

NET BALANCE FORWARD

TOTAL BALANCE NOW DUE

REDACTED

WHEN MAKING PAYMENT PLEASE RETURN COVER SHEET OR

15
PEPPER & CORAZZINI
1776 K Street, N.W., #200
Washington, D.C. 20006
(202) 296-0600
Federal I.D. 53-0236694

June 10, 1993

Billed through 05/31/93

Client number 1808 RFC

Liberty Cable & Telephone, Inc.
Attn: Mr. Peter Price, Esquire
30 Rockefeller Plaza
Suite 3026
New York, NY 10020

RE: Liberty Cable, Inc.
New York, NY

BALANCE FORWARD FOR THIS MATTER
TOTAL FEES FOR THIS MATTER
TOTAL ADMINISTRATIVE COSTS

REDACTED

TOTAL FEES 14.50 hrs

TOTAL ADMINISTRATIVE COSTS

TOTAL CHARGES FOR THESE BILLS

NET BALANCE FORWARD

TOTAL BALANCE NOW DUE

REDACTED

**TWENTY-ONE INSTANCES OF ACTIVATION BY LIBERTY
OF 18 GHZ MICROWAVE FACILITIES CONCURRENT WITH OR BEFORE
THE FILING OF APPLICATIONS FOR SUCH FACILITIES DURING THE PERIOD
JULY 1, 1992 THROUGH JUNE 30, 1993, LISTED BY TRANSMITTER.¹**

BRISTOL PLAZA

RECEIVER	INSTALL START	APPLICATION FILING DATE	FCC FILE NO.
160 E. 65th Street (Phoenix)	08/24/92	10/30/92	789096
207 E. 74th Street (Mayfair)	12/92	01/08/93	790537
175 E. 74th Street	02/93	04/01/93	792858
812 Fifth Avenue	02/93	04/01/93	792858
400 E. 59th Street	02/93	04/01/93	792858
116 E. 66th Street	03/93	04/01/93	792858
911 Park Avenue	04/93	05/13/93	793915
150 E. 69th Street (Imperial House)	05/93	5/19/93 (appl.signed)	794171
25 Sutton Place	06/93	06/16/93	794825

NORMANDIE COURT

RECEIVER	INSTALL START	APPLICATION FILING DATE	FCC FILE NO.
345 E. 86th Street	09/01/92	01/93 (cover letter dated 1/7/93)	790531
19 E. 88th Street	12/92	01/08/93	790538
180 East End Avenue	02/93	03/93 (appl. signed 3/25/93)	792860
90 Riverside Drive	02/93	03/93 (appl. signed 3/25/93)	792860
510 E. 86th Street	02/93	03/93 (appl. signed 3/25/93)	792860
302 E. 88th Street	04/93	05/13/93	793917

¹Summary exhibit, compiled pursuant to Rule 1006, Fed. R. Evid. The sources of the dates in the "Install Start" column are Liberty Cable Co.'s Installation Progress Reports, dated February 23, 1997 and March 2, 1995 (TWCv Exhibits 14 and 15). The sources of the dates in the "Application Filing Date" column are the actual applications. The application filing date was ascertained from the FCC stamp or handwritten date on the first page of the FCC license application form, unless otherwise indicated.

Federal Communications Commission

File # WT 96-46 Exhibit No. TW 64

1 encl Warner

Identified X

Received X

Rejected X

Porter

File 5-28-97

ONE LINCOLN PLAZA

RECEIVER	INSTALL START	APPLICATION FILING DATE	FCC FILE NO.
125 W. 55th Street	08/01/92	10/30/92	789095
Park-Meridien Hotel	09/01/92	10/30/92	789095
45 E. 72nd Street	09/09/92	10/30/92	789095
33 W. 67th Street	06/93	06/16/93	794824

RIVER TOWER

RECEIVER	INSTALL START	APPLICATION FILING DATE	FCC FILE NO.
333 E. 55th Street	05/93	05/93 (appl. signed 5/19/93; cover letter dated 5/21/93)	794172

WINDSOR COURT

RECEIVER	INSTALL START	APPLICATION FILING DATE	FCC FILE NO.
200 E. 36th Street	03/93	04/01/93	792859

PEPPER & CORAZZINI

L. L. P.

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NEAL J. FRIEDMAN
ELLEN S. MANDELL
HOWARD J. BARR
LOUISE CYBULSKI •
L. CHARLES KELLER •
MICHAEL J. LEHMKUHL •
SUZANNE C. SPINK •
• NOT ADMITTED IN D.C.MEMORANDUM

TO: Peter O. Price, Esq.
Behrooz Nourain
Thomas Courtney, Comsearch
1808 Correspondence File

FROM: Michael J. Lehmkuhl, Esq. *MJL*

RE: Inventory of 18 GHz Licenses Issued to Liberty Cable Co., Inc.

DATE: February 24, 1995

*LC/HMM/EDM/MSB
(COVER ONLY)*

Attached is the latest inventory of 18 GHz stations currently licensed to Liberty Cable Co., Inc. ("Liberty"). The inventory includes four sections detailing pending applications, granted licenses, transmit location information, and the status and path information for each transmitter site.

The redesign of this inventory reflects the major changes that have occurred at the Commission within the last six months. With the exception of Lincoln Plaza, the Commission has finally consolidated the licenses around the transmit sites so that there is only one license and call sign for every transmit site. The Lincoln Plaza licenses should be consolidated within a few months. Also note that the applications that had been pending for over two years have finally been granted. Consequently, Liberty is no longer operating under any STAs.

The license status of each path is also indicated in the right margin of the general listing by either a "P" (pending) or a "G" (granted). Also, you will note the number on the left margin of the inventory. For purposes of accuracy, this number is the path number assigned by the Commission that appears on each license. Note that since the Lincoln Plaza licenses have not been consolidated, no path number is shown.

Please call me if you have any questions or comments.

TW EXHIBIT 14

FCC/CP 017985

Federal Communications Commission

Doc WT 96-4 Exhibit No. TW 65

Re Time Warner

{	Identified	X
	Received	X
	Rejected	

5-29-97

Reporter

918

Date

5-28-97